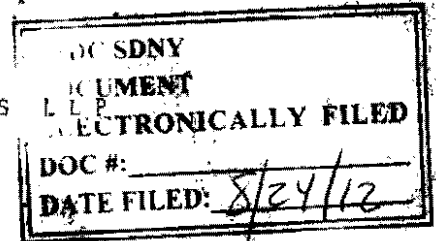
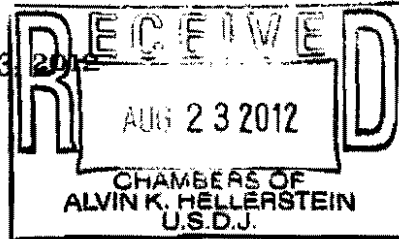


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August 23, 2012

**VIA FACSIMILE (212) 805-7942**Hon. Alvin K. Hellerstein
United States District Judge
United States Courthouse
500 Pearl Street, Room 1050
New York, New York 10007

The 8/31/12 conference is adjourned pending
decision on Defendants' motion to Dismiss.
8/24/12 *Erica E. Frank*

Re: *Mercier v. Celco Partnership d/b/a Verizon Wireless, et al., No.*
12-cv-2064 (AKH)
KM&M File No. 10053.0201

Dear Judge Hellerstein:

As you know, this firm represents Defendants Celco Partnership/d/b/a Verizon Wireless, Mark Lavorgna and Michele McKitrick (collectively, "Defendants") with respect to the above-referenced matter.

We write on behalf of both parties to respectfully request an adjournment of the court conference currently scheduled for August 31, 2012 at 10:00 a.m. Counsel for Defendants is unavailable on this date and Plaintiff's counsel has consented to an adjournment. This is the parties' first request for an adjournment of this court conference. Counsel for the parties are available to reschedule on September 14, 2012 between 11:00 a.m. and 1:30 p.m. or after 3:00 p.m., on September 28, 2012 at any time after 11:30 a.m., or such time thereafter at the Court's convenience.

Thank you for your consideration of this request.

Respectfully Submitted,

Erica E. Frank
Erica E. Frank

cc: Marjorie Mesidor, Esq.